

REMARKS

INTRODUCTION

In accordance with the foregoing, no claims have been amended. Claims 1-6 are pending and under consideration.

GROUND FOR ENTRY OF THIS RESPONSE PURSUANT TO 37 CFR 1.116

The Applicants respectfully request entry of this Rule 116 Response because it is believed that the arguments put forward place these claims in condition for allowance. The present response clarifies and highlights features of the present invention that patentably distinguish over the relied upon references.

CLAIM REJECTIONS

Claims 1-6 were rejected under 35 USC 103(a) as being unpatentable for obviousness over the admitted prior art (hereinafter "APA") in view of Breed (US 2003/0009270) (hereinafter "Breed").

Claim 1 recites: "...an outer member having an inner periphery formed with a plurality of raceways and adapted to be secured to the vehicle body structure through a knuckle, on which an inboard end of the outer periphery of the outer member is attached... an electric power receiving section to receive wirelessly an electric operating power for the sensor section and the sensor signal transmitting section, wherein the knuckle is provided with at least an antenna in one or both of the sensor signal transmitting section and the electric power receiving section."

In the remarks section of the Office Action, the Examiner notes that an antenna directly coupled to the knuckle or where the knuckle is provided with at least an antenna in one or both of the sensor signal transmitting section and the electric power receiving section would be obvious. This statement is respectfully traversed, and a reference to support this statement is respectfully requested.

The Examiner notes that one would recognize that the coupling of signals between a transmitter and a receiver is affected by the orientation of the antennas and the presence of interfering obstacles. Even assuming this statement, it is respectfully submitted, however, that the technical feature of claim 1 where the knuckle is provided with at least an antenna in one or both of the sensor signal transmitting section and the electric power receiving section is not only not shown in the references relied on by the Examiner, but this feature of the invention of claim 1 provides more technical advantages than just an unobstructed transmission path.

Specifically, when the knuckle is provided with at least an antenna in one or both of the sensor signal transmitting section and the electric power receiving section, it is not only possible to avoid the intervention of an interfering obstacle such as the outer race of the constant velocity joint on the path of transmission of the electromagnetic waves between them and the sensor signal receiving unit, but it is also possible to increase the spacial flexibility for installation of the various component parts, and still further, it is possible to eliminate the necessity of use of any harness between the vehicle wheel and the vehicle body structure which provides for a reduction in weight, improved ease of assembly, and avoidance of troubles related to breakage of the harnesses.

Referring to MPEP 2144.04, if the Applicants have demonstrated the criticality of a specific limitation, it would not be appropriate to rely solely on case law as the rationale to support an obviousness rejection. It is respectfully submitted that the Applicants have met this burden of demonstrating the criticality of coupling the antenna directly to the knuckle and therefore request that a prior art reference be provided to show this feature of claim 1.

Regarding the relied upon prior art, the APA only shows that a revolution sensor 56 and a sensor signal transmitting unit 54 both mounted on one end of the outer member 1, and does not discuss antennas at all, or that the revolution sensor 56 and sensor signal transmitting unit 54 were mounted on the knuckle 11. Regarding the secondary reference Breed, the Examiner only relies on Breed to discuss wireless sensors and Breed does not discuss coupling an antenna directly to a knuckle. Specifically, Breed is silent about a wheel support bearing assembly in which it is possible to avoid reduction in efficiency resulting from the presence of an interfering obstacle.

Claims 2-6 depend on claim 1 and are therefore believed to be allowable for at least the foregoing reasons.

Withdrawal of the foregoing rejections is requested.

CONCLUSION

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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